



**CITY COUNCIL**

**June 21, 2021**

**7:00 P.M.**

**I. CALL MEETING TO ORDER:**

**II. ROLL CALL:**

**III. PLEDGE TO FLAGS**

**A.** United States of America

**B.** Texas Flag Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible

**IV. OPEN FORUM:** The City Council invites persons with comments or observations related to city issues, projects, or policies to briefly address the City Council. Anyone wishing to speak should sign-in with the City Secretary before the beginning of the City Council Meeting. In order to expedite the flow of business and to provide all citizens the opportunity to speak, there is a three-minute limitation on any person addressing the City Council. State law prohibits the City Council from discussing or taking action on any item not listed on the posted agenda.

**V. CONSENT ITEMS:** All matters listed as Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

**A.** Acceptance of the May 2021 Financial Reports.

**B.** Accept the April 5, May 3, May 14, and May 17, 2021 City Council Meeting minutes.

**VI. NEW BUSINESS:** All matters listed as New Business will be discussed and considered separately.

**A.** Discuss with staff the Fiscal Year 2021/2022 annual operating and capital improvement budget.

**B.** Discuss, consider, and act on a resolution of the City of New Fairview, Texas, awarding the streets improvement project to Jagoe-Public Construction, including alternative A, C, D, E, F, G, and H; establish a not-to-exceed project contingency of \$632,000; approve the transfer

and expenditure of \$300,000 of General Fund Balance to the Capital Improvement project; and authorize the City Administrator to enter into interlocal agreements with Wise County for the improvement of Wilson and Aydelotte Courts, as well as CR 4717.

- C. Discuss with staff the code enforcement ordinance.
  - D. Discuss with staff the implementation of townhall and community events.
- VII. WORK SESSION:** No action will be taken during the work session; the work session provides the Council an opportunity to discuss consent items, receive and provide information regarding regular agenda items, and presentations from staff.
- A. None
- VIII. EXECUTIVE SESSION:** The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following:
- A. The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following: Section 551.087 - Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1) for the following: Mary & Wilfred Beck Parcel
- IX. REPORT ITEMS:** These items are for informational purposes only. If the Council wishes to discuss, they can ask to add them to the workshop or new business section for discussion.
- A. None.
- X. CONSIDER/TAKE ACTION ON MATTERS DISCUSSED IN THE EXECUTIVE SESSION.**
- XI. ADJOURN:** I, the undersigned authority, do hereby certify the above notice of the meeting of the City Council of New Fairview, is a true and correct copy of the said notice that I posted on the official posting place at New Fairview City Hall, FM 407, New Fairview, Texas, a place of convenience and readily accessible to the general public at all times, and said notice posted this 18th day of June 2021 at 7:00 PM at least 72 hours proceeding the meeting time.

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**Monica Rodriguez, City Secretary**

**SEAL:**

This facility is wheelchair accessible; parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary at city hall 817-638-5366 or fax 817-638-5369 or by email at [citysecretary@newfairview.org](mailto:citysecretary@newfairview.org) for further information.



## **City Council Agenda June 21, 2021**

### **Agenda Item:**

**(Consent Item)**

### **Agenda Description:**

Accept the May 2021 Financial Report.

### **Background Information:**

The annual revenues are currently at \$1,313,596 of the budgeted \$1,079,708 which is approximately 121.6% of anticipated revenues with 30% of the fiscal year still ahead. This is largely due to the \$224,000 in excess revenues, over budget, from building permits.

The annual expenditures are currently at \$446,955 of the budgeted \$937,451 which is approximately 47.7% of the budgeted expenditures with approximately 70% of the year already completed. We anticipate that these numbers will increase substantially in the upcoming months as we received the new equipment purchases, executed the agreement for the new website, distributed the citizen satisfaction survey, are beginning the groundwork for establishing the Municipal Development District, and have started the transportation impact fee study which are still largely outstanding.

### **Financial Information:**

Ben Nibarger, City Administrator

### **City Contact and Recommendation:**

Ben Nibarger, City Administrator  
Accept the financial report

### **Attachments:**

May 2021 Financial Report

Statement of Revenue and Expenditures

	Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2020
	Oct 2020	Oct 2020	Oct 2020	Oct 2020	Sep 2021
	Sep 2021	May 2021	May 2021	Sep 2021	Percent of
	Sep 2021	Actual	Actual	Variance	Budget
<b>Revenue &amp; Expenditures</b>					
<b>Revenue</b>					
<b>Revenues</b>					
<b>Fines &amp; Fees</b>					
4501 Court Fines	15,000.00	7,504.67	7,504.67	7,495.33	50.03%
Total Fines & Fees	\$15,000.00	\$7,504.67	\$7,504.67	\$7,495.33	
<b>Franchise Fees</b>					
4301 Franchise Fees	47,000.00	49,021.44	49,021.44	(2,021.44)	104.30%
Total Franchise Fees	\$47,000.00	\$49,021.44	\$49,021.44	(\$2,021.44)	
<b>Other Revenue</b>					
4905 Grant Revenue		62,623.16	62,623.16	(62,623.16)	0.00%
4901 Other Revenue	50,000.00	10,711.00	10,711.00	39,289.00	21.42%
Total Other Revenue	\$50,000.00	\$73,334.16	\$73,334.16	(\$23,334.16)	
<b>Permits</b>					
4401 Construction Permits	350,000.00	574,248.82	574,248.82	(224,248.82)	164.07%
4403 Contractor Registration		1,152.00	1,152.00	(1,152.00)	0.00%
4402 Septic Permits		16,720.00	16,720.00	(16,720.00)	0.00%
Total Permits	\$350,000.00	\$592,120.82	\$592,120.82	(\$242,120.82)	
<b>Property Tax</b>					
4101 Current Property Tax	476,743.00	466,357.40	466,357.40	10,385.60	97.82%
4102 Delinquent Property Tax	9,535.00	0.00		9,535.00	0.00%
4103 Penalties	1,430.00	0.00		1,430.00	0.00%
Total Property Tax	\$487,708.00	\$466,357.40	\$466,357.40	\$21,350.60	
<b>Sales Tax</b>					
4201 Sales/ Beverage Tax	130,000.00	125,258.06	125,258.06	4,741.94	96.35%
Total Sales Tax	\$130,000.00	\$125,258.06	\$125,258.06	\$4,741.94	
Revenues Totals	\$1,079,708.00	\$1,313,596.55	\$1,313,596.55	(\$233,888.55)	

GENERAL FUND

Statement of Revenue and Expenditures

	Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2020
	Oct 2020	Oct 2020	Oct 2020	Oct 2020	Sep 2021
	Sep 2021	Actual	Actual	Variance	Percent of Budget
Unallocated					
Other Revenue					
4901 Other Revenue		32.46	32.46	(32.46)	0.00%
Total Other Revenue		\$32.46	\$32.46	(\$32.46)	
Unallocated Totals		\$32.46	\$32.46	(\$32.46)	

Statement of Revenue and Expenditures

	Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2020
	Oct 2020	Oct 2020	Oct 2020	Oct 2020	Oct 2020
	Sep 2021	May 2021	May 2021	Sep 2021	Sep 2021
		Actual	Actual	Variance	Percent of Budget
Revenue	\$1,079,708.00	\$1,313,629.01	\$1,313,629.01	(\$233,921.01)	
Gross Profit	\$1,079,708.00	\$1,313,629.01	\$1,313,629.01		

Expenses

City Administration

Contract Labor

5109	City Engineer	5,000.00	0.00		5,000.00	0.00%
5110	City Planner	10,000.00	688.50	688.50	9,311.50	6.89%
5101	Contract Labor	3,000.00	4,577.30	4,577.30	(1,577.30)	152.58%
5111	Information Technology	5,000.00	5,414.60	5,414.60	(414.60)	108.29%
5108	Legal Expenses	50,000.00	23,909.82	23,909.82	26,090.18	47.82%
	Total Contract Labor	\$73,000.00	\$34,590.22	\$34,590.22	\$38,409.78	

Salaries & Payroll

5011	Deferred Compensation	6,000.00	0.00		6,000.00	0.00%
5007	FICA - Payroll Taxes	7,168.00	0.00		7,168.00	0.00%
5006	Health Insurance	8,865.00	3,938.16	3,938.16	4,926.84	44.42%
5004	Longevity Pay	100.00	126.12	126.12	(26.12)	126.12%
5012	LTD, STD and Life	951.00	0.00		951.00	0.00%
5009	Mileage	3,600.00	0.00		3,600.00	0.00%
5001	Salaries	93,600.00	70,773.35	70,773.35	22,826.65	75.61%
5005	TMRS	10,307.00	13,075.32	13,075.32	(2,768.32)	126.86%
5008	Worker's Comp	300.00	288.32	288.32	11.68	96.11%
	Total Salaries & Payroll	\$130,891.00	\$88,201.27	\$88,201.27	\$42,689.73	

Services

5340	Auditor	14,000.00	15,000.00	15,000.00	(1,000.00)	107.14%
5390	Cleanup Days		3.79	3.79	(3.79)	0.00%
5361	Credit Card Fees		1,029.29	1,029.29	(1,029.29)	0.00%
5370	Election Expense	3,000.00	850.00	850.00	2,150.00	28.33%
5350	Professional Services	25,000.00	7,250.00	7,250.00	17,750.00	29.00%
5360	Prop Tax Collection Fees		8,267.55	8,267.55	(8,267.55)	0.00%
5306	Recording		117.00	117.00	(117.00)	0.00%
5310	Software	28,500.00	14,819.80	14,819.80	13,680.20	52.00%
5380	TML Insurance	5,500.00	7,731.50	7,731.50	(2,231.50)	140.57%
5322	Training/ Dues/ Memberships	5,500.00	1,703.96	1,703.96	3,796.04	30.98%
	Total Services	\$81,500.00	\$56,772.89	\$56,772.89	\$24,727.11	

Supplies

5202	Equipment	1,000.00	165.10	165.10	834.90	16.51%
5299	Miscellaneous Supplies	500.00	0.00		500.00	0.00%

GENERAL FUND

Statement of Revenue and Expenditures

		Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2020
		Oct 2020	Oct 2020	Oct 2020	Oct 2020	Sept 2021
		Sep 2021	May 2021	May 2021	Sep 2021	Percent of
			Actual	Actual	Variance	Budget
5201	Office Supplies	2,500.00	2,685.09	2,685.09	(185.09)	107.40%
5207	Postage	200.00	4.80	4.80	195.20	2.40%
	Total Supplies	\$4,200.00	\$2,854.99	\$2,854.99	\$1,345.01	
Utilities Expense						
5501	Electric / Trash	1,400.00	989.87	989.87	410.13	70.71%
5502	Internet/Telephone	2,000.00	5,536.79	5,536.79	(3,536.79)	276.84%
	Total Utilities Expense	\$3,400.00	\$6,526.66	\$6,526.66	(\$3,126.66)	
	City Administration Totals	\$292,991.00	\$188,946.03	\$188,946.03	\$104,044.97	



GENERAL FUND

Statement of Revenue and Expenditures

		Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2020
		Oct 2020	Oct 2020	Oct 2020	Oct 2020	Sep 2021
		Sep 2021	Actual	Actual	Variance	Percent of Budget
<b>City Council</b>						
<b>Contract Labor</b>						
5110	City Planner		462.83	462.83	(462.83)	0.00%
5108	Legal Expenses		10,424.12	10,424.12	(10,424.12)	0.00%
<b>Total Contract Labor</b>			<b>\$10,886.95</b>	<b>\$10,886.95</b>	<b>(\$10,886.95)</b>	
<b>Services</b>						
5370	Election Expense		2,030.37	2,030.37	(2,030.37)	0.00%
5305	Legal Notices		310.80	310.80	(310.80)	0.00%
5325	Municipal Judge Training	500.00	0.00		500.00	0.00%
5310	Software		144.00	144.00	(144.00)	0.00%
5322	Training/ Dues/ Memberships	15,000.00	1,615.00	1,615.00	13,385.00	10.77%
<b>Total Services</b>		<b>\$15,500.00</b>	<b>\$4,100.17</b>	<b>\$4,100.17</b>	<b>\$11,399.83</b>	
<b>Supplies</b>						
5213	Council Supplies	1,500.00	1,298.71	1,298.71	201.29	86.58%
5299	Miscellaneous Supplies		47.39	47.39	(47.39)	0.00%
5201	Office Supplies		207.27	207.27	(207.27)	0.00%
<b>Total Supplies</b>		<b>\$1,500.00</b>	<b>\$1,553.37</b>	<b>\$1,553.37</b>	<b>(\$53.37)</b>	
<b>Utilities Expense</b>						
5502	Internet/Telephone		67.16	67.16	(67.16)	0.00%
<b>Total Utilities Expense</b>			<b>\$67.16</b>	<b>\$67.16</b>	<b>(\$67.16)</b>	
<b>City Council Totals</b>		<b>\$17,000.00</b>	<b>\$16,607.65</b>	<b>\$16,607.65</b>	<b>\$392.35</b>	

GENERAL FUND

Statement of Revenue and Expenditures

		Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2020
		Oct 2020	Oct 2020	Oct 2020	Oct 2020	Sep 2021
		Sep 2021	Actual	Actual	Sep 2021	Percent of Budget
					Variance	
<b>City Secretary</b>						
<b>Contract Labor</b>						
5108	Legal Expenses	5,000.00	0.00		5,000.00	0.00%
	<b>Total Contract Labor</b>	<b>\$5,000.00</b>	<b>\$0.00</b>		<b>\$5,000.00</b>	
<b>Other Expense</b>						
5901	Miscellaneous Expense	600.00	0.00		600.00	0.00%
	<b>Total Other Expense</b>	<b>\$600.00</b>	<b>\$0.00</b>		<b>\$600.00</b>	
<b>Salaries &amp; Payroll</b>						
5007	FICA - Payroll Taxes	4,745.00	3,274.54	3,274.54	1,470.46	69.01%
5006	Health Insurance	8,865.00	6,030.37	6,030.37	2,834.63	68.02%
5004	Longevity Pay	748.00	875.89	875.89	(127.89)	117.10%
5012	LTD, STD and Life	951.00	0.00		951.00	0.00%
5009	Mileage	500.00	0.00		500.00	0.00%
5001	Salaries	61,282.00	41,928.40	41,928.40	19,353.60	68.42%
5005	TMRS	6,823.00	4,507.44	4,507.44	2,315.56	66.06%
5008	Worker's Comp	200.00	288.32	288.32	(88.32)	144.16%
	<b>Total Salaries &amp; Payroll</b>	<b>\$84,114.00</b>	<b>\$56,904.96</b>	<b>\$56,904.96</b>	<b>\$27,209.04</b>	
<b>Services</b>						
5330	Ads - Marketing	1,000.00	0.00		1,000.00	0.00%
5305	Legal Notices	1,800.00	206.25	206.25	1,593.75	11.46%
5306	Recording	2,000.00	0.00		2,000.00	0.00%
5310	Software	4,000.00	0.00		4,000.00	0.00%
5322	Training/ Dues/ Memberships	4,000.00	535.56	535.56	3,464.44	13.39%
	<b>Total Services</b>	<b>\$12,800.00</b>	<b>\$741.81</b>	<b>\$741.81</b>	<b>\$12,058.19</b>	
<b>Supplies</b>						
5202	Equipment	500.00	2,022.74	2,022.74	(1,522.74)	404.55%
5201	Office Supplies	2,000.00	90.89	90.89	1,909.11	4.54%
5207	Postage	400.00	16.30	16.30	383.70	4.08%
	<b>Total Supplies</b>	<b>\$2,900.00</b>	<b>\$2,129.93</b>	<b>\$2,129.93</b>	<b>\$770.07</b>	
<b>Utilities Expense</b>						
5501	Electric / Trash	1,400.00	560.33	560.33	839.67	40.02%
5502	Internet/Telephone	2,000.00	1,271.87	1,271.87	728.13	63.59%
	<b>Total Utilities Expense</b>	<b>\$3,400.00</b>	<b>\$1,832.20</b>	<b>\$1,832.20</b>	<b>\$1,567.80</b>	
	<b>City Secretary Totals</b>	<b>\$108,814.00</b>	<b>\$61,608.90</b>	<b>\$61,608.90</b>	<b>\$47,205.10</b>	

GENERAL FUND

Statement of Revenue and Expenditures

		Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2020
		Oct 2020	Oct 2020	Oct 2020	Oct 2020	Sep 2021
		Sep 2021	May 2021	May 2021	Sep 2021	Percent of
			Actual	Actual	Variance	Budget
<b>Court</b>						
<b>Contract Labor</b>						
5102	Code Enforcement		106.35	106.35	(106.35)	0.00%
5107	Contract Deputies	28,000.00	13,057.40	13,057.40	14,942.60	46.63%
5101	Contract Labor		240.00	240.00	(240.00)	0.00%
5108	Legal Expenses	5,000.00	517.02	517.02	4,482.98	10.34%
5106	Municipal Judge	1,500.00	0.00		1,500.00	0.00%
	<b>Total Contract Labor</b>	<b>\$34,500.00</b>	<b>\$13,920.77</b>	<b>\$13,920.77</b>	<b>\$20,579.23</b>	
<b>Other Expense</b>						
5901	Miscellaneous Expense	7,556.00	4,931.70	4,931.70	2,624.30	65.27%
	<b>Total Other Expense</b>	<b>\$7,556.00</b>	<b>\$4,931.70</b>	<b>\$4,931.70</b>	<b>\$2,624.30</b>	
<b>Salaries &amp; Payroll</b>						
5007	FICA - Payroll Taxes	2,769.00	1,922.84	1,922.84	846.16	69.44%
5006	Health Insurance	8,865.00	6,272.91	6,272.91	2,592.09	70.76%
5004	Longevity Pay	100.00	159.34	159.34	(59.34)	159.34%
5012	LTD, STD and Life	951.00	0.00		951.00	0.00%
5009	Mileage	500.00	0.00		500.00	0.00%
5003	Overtime	1,000.00	1,078.06	1,078.06	(78.06)	107.81%
5001	Salaries	35,090.00	23,896.61	23,896.61	11,193.39	68.10%
5005	TMRS	3,981.00	2,646.63	2,646.63	1,334.37	66.48%
5008	Worker's Comp	150.00	288.33	288.33	(138.33)	192.22%
	<b>Total Salaries &amp; Payroll</b>	<b>\$53,406.00</b>	<b>\$36,264.72</b>	<b>\$36,264.72</b>	<b>\$17,141.28</b>	
<b>Services</b>						
5325	Municipal Judge Training	200.00	0.00		200.00	0.00%
5310	Software	8,433.00	1,931.88	1,931.88	6,501.12	22.91%
5322	Training/ Dues/ Memberships	1,500.00	857.77	857.77	642.23	57.18%
	<b>Total Services</b>	<b>\$10,133.00</b>	<b>\$2,789.65</b>	<b>\$2,789.65</b>	<b>\$7,343.35</b>	
<b>Supplies</b>						
5202	Equipment	1,190.00	2,950.04	2,950.04	(1,760.04)	247.90%
5299	Miscellaneous Supplies	500.00	4.33	4.33	495.67	0.87%
5201	Office Supplies	1,500.00	78.09	78.09	1,421.91	5.21%
5207	Postage	300.00	55.00	55.00	245.00	18.33%
	<b>Total Supplies</b>	<b>\$3,490.00</b>	<b>\$3,087.46</b>	<b>\$3,087.46</b>	<b>\$402.54</b>	
<b>Utilities Expense</b>						
5501	Electric / Trash	1,400.00	560.34	560.34	839.66	40.02%
5502	Internet/Telephone	2,000.00	846.26	846.26	1,153.74	42.31%
	<b>Total Utilities Expense</b>	<b>\$3,400.00</b>	<b>\$1,406.60</b>	<b>\$1,406.60</b>	<b>\$1,993.40</b>	

GENERAL FUND

Statement of Revenue and Expenditures

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	Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2020
	Oct 2020	Oct 2020	Oct 2020	Oct 2020	Sep 2021
	Sep 2021	May 2021	May 2021	Sep 2021	Percent of
		Actual	Actual	Variance	Budget
Court Totals	\$112,485.00	\$62,400.90	\$62,400.90	\$50,084.10	

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GENERAL FUND

Statement of Revenue and Expenditures

		Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2020
		Oct 2020	Oct 2020	Oct 2020	Oct 2020	Sep 2021
		Sep 2021	Actual	Actual	Variance	Percent of Budget
<b>Non- Departmental</b>						
<b>Contract Labor</b>						
5101	Contract Labor		880.00	880.00	(880.00)	0.00%
	<b>Total Contract Labor</b>		<b>\$880.00</b>	<b>\$880.00</b>	<b>(\$880.00)</b>	
<b>Services</b>						
5320	Equipment Rental		166.45	166.45	(166.45)	0.00%
	<b>Total Services</b>		<b>\$166.45</b>	<b>\$166.45</b>	<b>(\$166.45)</b>	
<b>Supplies</b>						
5201	Office Supplies		194.55	194.55	(194.55)	0.00%
	<b>Total Supplies</b>		<b>\$194.55</b>	<b>\$194.55</b>	<b>(\$194.55)</b>	
	<b>Non- Departmental Totals</b>		<b>\$1,241.00</b>	<b>\$1,241.00</b>	<b>(\$1,241.00)</b>	

Statement of Revenue and Expenditures

		Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2020
		Oct 2020	Oct 2020	Oct 2020	Oct 2020	Sep 2021
		Sep 2021	Actual	Actual	Variance	Percent of Budget
<b>Public Safety</b>						
Contract Labor						
5107	Contract Deputies		467.67	467.67	(467.67)	0.00%
5101	Contract Labor		925.00	925.00	(925.00)	0.00%
	<b>Total Contract Labor</b>		<b>\$1,392.67</b>	<b>\$1,392.67</b>	<b>(\$1,392.67)</b>	
	<b>Public Safety Totals</b>		<b>\$1,392.67</b>	<b>\$1,392.67</b>	<b>(\$1,392.67)</b>	

GENERAL FUND

Statement of Revenue and Expenditures

		Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2020
		Oct 2020	Oct 2020	Oct 2020	Oct 2020	Sept 2021
		Sep 2021	Actual	Actual	Variance	Percent of Budget
<b>Public Works</b>						
<b>Capital Outlay</b>						
6020	Equipment - Capital		7,125.00	7,125.00	(7,125.00)	0.00%
<b>Total Capital Outlay</b>			<b>\$7,125.00</b>	<b>\$7,125.00</b>	<b>(\$7,125.00)</b>	
<b>Contract Labor</b>						
5104	Animal Control	2,000.00	1,075.00	1,075.00	925.00	53.75%
5105	Building Inspector	50,000.00	22,324.18	22,324.18	27,675.82	44.65%
5109	City Engineer	10,000.00	9,355.63	9,355.63	644.37	93.56%
5110	City Planner	20,000.00	5,518.08	5,518.08	14,481.92	27.59%
5102	Code Enforcement	25,000.00	7,578.00	7,578.00	17,422.00	30.31%
5101	Contract Labor	94,000.00	39,081.54	39,081.54	54,918.46	41.58%
5108	Legal Expenses	20,000.00	0.00		20,000.00	0.00%
5103	Septic Inspector	6,500.00	12,320.00	12,320.00	(5,820.00)	189.54%
<b>Total Contract Labor</b>		<b>\$227,500.00</b>	<b>\$97,252.43</b>	<b>\$97,252.43</b>	<b>\$130,247.57</b>	
<b>Other Expense</b>						
5901	Miscellaneous Expense	3,000.00	202.50	202.50	2,797.50	6.75%
<b>Total Other Expense</b>		<b>\$3,000.00</b>	<b>\$202.50</b>	<b>\$202.50</b>	<b>\$2,797.50</b>	
<b>Repair / Maintenance Expense</b>						
5401	Building Repairs	12,000.00	13,035.39	13,035.39	(1,035.39)	108.63%
5410	Road Maintenance	10,000.00	10,633.11	10,633.11	(633.11)	106.33%
5420	Tractor / Truck Diesel	1,500.00	2,090.60	2,090.60	(590.60)	139.37%
5430	Tractor/ Truck Repairs	2,000.00	6,464.91	6,464.91	(4,464.91)	323.25%
<b>Total Repair / Maintenance Expense</b>		<b>\$25,500.00</b>	<b>\$32,224.01</b>	<b>\$32,224.01</b>	<b>(\$6,724.01)</b>	
<b>Services</b>						
5320	Equipment Rental	2,500.00	0.00		2,500.00	0.00%
5306	Recording		30.00	30.00	(30.00)	0.00%
5322	Training/ Dues/ Memberships	1,000.00	410.00	410.00	590.00	41.00%
<b>Total Services</b>		<b>\$3,500.00</b>	<b>\$440.00</b>	<b>\$440.00</b>	<b>\$3,060.00</b>	
<b>Supplies</b>						
5202	Equipment	500.00	10,018.60	10,018.60	(9,518.60)	2,003.72%
5201	Office Supplies	250.00	2,056.23	2,056.23	(1,806.23)	822.49%
5207	Postage		112.00	112.00	(112.00)	0.00%
5222	Signs	1,500.00	3,454.49	3,454.49	(1,954.49)	230.30%
<b>Total Supplies</b>		<b>\$2,250.00</b>	<b>\$15,641.32</b>	<b>\$15,641.32</b>	<b>(\$13,391.32)</b>	
<b>Utilities Expense</b>						
5501	Electric / Trash	1,400.00	2,345.06	2,345.06	(945.06)	167.50%
5502	Internet/Telephone		291.31	291.31	(291.31)	0.00%

Statement of Revenue and Expenditures

		Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2020
		Oct 2020	Oct 2020	Oct 2020	Oct 2020	Sept 2021
		Sept 2021	Actual	Actual	Variance	Percent of Budget
5505	Street Lights	4,000.00	2,246.89	2,246.89	1,753.11	56.17%
	Total Utilities Expense	\$5,400.00	\$4,883.26	\$4,883.26	\$516.74	
	Public Works Totals	\$267,150.00	\$157,768.52	\$157,768.52	\$109,381.48	



GENERAL FUND

Statement of Revenue and Expenditures

		Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2020
		Oct 2020	Oct 2020	Oct 2020	Oct 2020	Sep 2021
		Sep 2021	Actual	Actual	Variance	Percent of Budget
<b>Revenues</b>						
Other Expense						
5880	Chargeback		(2,475.00)	(2,475.00)	2,475.00	0.00%
	Total Other Expense		(\$2,475.00)	(\$2,475.00)	\$2,475.00	
Services						
5322	Training/ Dues/ Memberships		(50.00)	(50.00)	50.00	0.00%
	Total Services		(\$50.00)	(\$50.00)	\$50.00	
Supplies						
5201	Office Supplies		(82.43)	(82.43)	82.43	0.00%
	Total Supplies		(\$82.43)	(\$82.43)	\$82.43	
	Revenues Totals		(\$2,607.43)	(\$2,607.43)	\$2,607.43	

GENERAL FUND

Statement of Revenue and Expenditures

		Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2020
		Oct 2020	Oct 2020	Oct 2020	Oct 2020	Sep 2021
		Sep 2021	Actual	Actual	Variance	Percent of Budget
<b>Unallocated</b>						
<b>Contract Labor</b>						
5105	Building Inspector		715.00	715.00	(715.00)	0.00%
5108	Legal Expenses		7,402.31	7,402.31	(7,402.31)	0.00%
<b>Total Contract Labor</b>			<b>\$8,117.31</b>	<b>\$8,117.31</b>	<b>(\$8,117.31)</b>	
<b>Other Expense</b>						
5880	Chargeback		1,716.60	1,716.60	(1,716.60)	0.00%
5901	Miscellaneous Expense		25.87	25.87	(25.87)	0.00%
<b>Total Other Expense</b>			<b>\$1,742.47</b>	<b>\$1,742.47</b>	<b>(\$1,742.47)</b>	
<b>Services</b>						
5350	Professional Services		(50,262.55)	(50,262.55)	50,262.55	0.00%
<b>Total Services</b>			<b>(\$50,262.55)</b>	<b>(\$50,262.55)</b>	<b>\$50,262.55</b>	
<b>Unallocated Totals</b>			<b>(\$40,402.77)</b>	<b>(\$40,402.77)</b>	<b>\$40,402.77</b>	

GENERAL FUND

Statement of Revenue and Expenditures

	Annual Budget Oct 2020 Sep 2021	Current Period Oct 2020 May 2021 Actual	Year-To-Date Oct 2020 May 2021 Actual	Annual Budget Oct 2020 Sep 2021 Variance	Oct 2020 Sep 2021 Percent of Budget
Expenses	\$798,440.00	\$446,955.47	\$446,955.47	\$351,484.53	
Revenue Less Expenditures	\$281,268.00	\$866,673.54	\$866,673.54		

Transfers In

City Administration

Transfer Revenue

8100 Transfers In		300,000.00	300,000.00	(300,000.00)	0.00%
Total Transfer Revenue		\$300,000.00	\$300,000.00	(\$300,000.00)	
City Administration Totals		\$300,000.00	\$300,000.00	(\$300,000.00)	

Statement of Revenue and Expenditures

	Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2020
	Oct 2020	Oct 2020	Oct 2020	Oct 2020	Sep 2021
	Sep 2021	Actual	Actual	Variance	Percent of Budget
Transfers In		\$300,000.00	\$300,000.00	(\$300,000.00)	
<b>Transfers Out</b>					
City Administration					
Transfer Expense					
9100 Transfers Out		300,000.00	300,000.00	(300,000.00)	0.00%
Total Transfer Expense		\$300,000.00	\$300,000.00	(\$300,000.00)	
City Administration Totals		\$300,000.00	\$300,000.00	(\$300,000.00)	

Statement of Revenue and Expenditures

	Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2020
	Oct 2020	Oct 2020	Oct 2020	Oct 2020	Sep 2021
	Sep 2021	Actual	Actual	Variance	Percent of Budget
Public Works					
Transfer Expense					
9100 Transfers Out	150,000.00	0.00		150,000.00	0.00%
Total Transfer Expense	\$150,000.00	\$0.00		\$150,000.00	
Public Works Totals	\$150,000.00	\$0.00		\$150,000.00	

GENERAL FUND

Statement of Revenue and Expenditures

	Annual Budget Oct 2020 Sep 2021	Current Period Oct 2020 May 2021 Actual	Year-To-Date Oct 2020 May 2021 Actual	Annual Budget Oct 2020 Sep 2021 Variance	Oct 2020 Sep 2021 Percent of Budget
Transfers Out	\$150,000.00	\$300,000.00	\$300,000.00	(\$150,000.00)	
Net Change in Fund Balance	\$131,268.00	\$866,673.54	\$866,673.54		



## **City Council Agenda June 21, 2021**

### **Agenda Item:**

**(Consent Item)**

### **Agenda Description:**

Accept the April 5, May 3, May 14, and May 17, 2021 City Council Meeting minutes.

### **Background Information:**

Please review the minutes and be prepared to amend or add any clarification that the Council may deem necessary for the minutes.

### **Financial Information:**

Ben Nibarger, City Administrator

### **City Contact and Recommendation:**

Ben Nibarger, City Administrator

Review, make recommendations for comments/changes, and accept the meeting minutes

### **Attachments:**

May 3, 2021 City Council Meeting Minutes

April 19, 2021 City Council Meeting Minutes



**MINUTES  
CITY COUNCIL MEETING  
April 5, 2021  
7:00 P.M.**

**STATE OF TEXAS  
COUNTY OF WISE  
CITY OF NEW FAIRVIEW**

**THE CITY COUNCIL CONVENED INTO A CITY COUNCIL MEETING THE SAME BEING OPEN TO THE PUBLIC, THE 5TH DAY OF APRIL IN THE NEW FAIRVIEW CITY HALL AND NOTICE OF SAID MEETING GIVING THE TIME PLACE AND SUBJECT THEREFORE HAVING BEEN POSTED AS PRESCRIBED BY ARTICLE 5 OF THE TEXAS GOVERNMENT CODE WITH THE FOLLOWING MEMBERS PRESENT:**

Councilman Walter Clements

**CITYCOUNCIL**

**Councilman [Nolan Schoonmaker](#)  
Councilman Walter Clements  
Councilwoman Julie Burger  
Councilman Steve Misner  
Councilman Patrick Gunter**

**PRESENT**

**City Administrator Ben Nibarger  
City Secretary Monica Rodriguez  
City Clerk Brooke Boller**

**ABSENT**

**Mayor Joe Max Wilson**

**ITEM NUMBER I. CALL MEETING TO ORDER:**

**Mayor Pro Tem Patrick Gunter called the meeting to order at 7:02 P.M.**

**ITEM NUMBER II. ROLL CALL:**



**Roll call with the above-mentioned names present.**

**ITEM NUMBER III. PLEDGE TO FLAGS**

A. United States of America

B. Texas Flag Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible

**ITEM NUMBER IV. OPEN FORUM:** The City Council invites persons with comments or observations related to city issues, projects, or policies to briefly address the City Council. Anyone wishing to speak should sign-in with the City Secretary before the beginning of the City Council Meeting. In order to expedite the flow of business and to provide all citizens the opportunity to speak, there is a three-minute limitation on any person addressing the City Council. State law prohibits the City Council from discussing or taking action on any item not listed on the posted agenda.

[Rebecca McPherson](#)- **Shoop Ranch**- reevaluate and consider before action is taken. Long term for the city.

**Michael Henn**- he is against the Shoop Development. He asks that the council make the right decision and deny the new development and take care of what we have now.

**Janet Kennedy**-Is the city going to have enough to provide to the citizens, wanting to preserve the country feel. She wants all the zoning and related documents

**Cindi Poe**- She wants the council to be held accountable for being rude and disrespectful, her complaint was ready addressed

**Mickey Malone**- asked council members if they know where Brock Lane is ? Over the years they have seen growth. Some of the needs have not been met. For future growth some things need to be addressed first. The city needs a solid foundation. There are animal control issues not being addressed and more.

**ITEM NUMBER V. CONSENT ITEMS:** All matters listed as Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

A. **Acceptance of the February and March 2021 Financial Reports.**

B. **Acceptance of the February 1, February 22, March 1, and March 15, 2021 City Council**

**Councilman Walter Clements made a motion to approve A and B consent items. Motion seconded by Councilwoman Julie Burger. Motion passed unanimously. 5-0**

- C. Acceptance of the Social Media Policy. - Councilman Steve Misner questioned this item and it was removed from consent items

**ITEM NUMBER VI. NEW BUSINESS:** All matters listed as New Business will be discussed and considered separately.

- A. Discuss, consider, and act on a joint ordinance and boundary agreement between the City of Fort Worth and the City of New Fairview releasing approximately 179.779 acres of property from the ETJ of the City of Fort Worth and accepting said 179.779 acres into the ETJ of the City of New Fairview.

Councilman Walter Clements made a motion to approve the boundary agreement between the city of Fort Worth and the City of New Fairview accepting 179.779 acres into the ETJ of the City of New Fairview. Motion seconded by Councilman Julie Burger. Motion passed unanimously.

7:52P.M.-Mayor Pro Tem Patrick Gunter opened Public Hearings B,C & D

- B. Conduct public hearing to accept public comments and discuss the creation of the Shoop Ranch Public Improvement District No. 1.
- C. Conduct public hearing to accept public comments and discuss the creation of the Shoop Ranch Authorized Services Public Improvement District No. 1.
- D. Conduct public hearing to accept public comments and discuss the proposed rezoning by the City of New Fairview, Texas of approximately 1807.64 acres of land generally located north of FM 407, South of A.A. Bombarger Road, and east and west of N. County Line Road in the city limits of New Fairview, from Agriculture (AG) to Planned Development (PD).

Michael Henn is against

Mayor Pro Tem Patrick Gunter closed the Public Hearing at 8:05P.M

- E. Discuss, consider and act on a Resolution approving the Development Agreement between Rockhill Capital & Investments, LLC, a Texas limited liability company, and the City of New Fairview regarding the development of a parcel of land being a 1807.64 acre tract of land situated in the Smith County School Land Survey, Abstract No. 744, I. Davis Survey, Abstract No. 247, J. Beebe Survey, Abstract No. 56, T. Samuel Survey, Abstract No. 757 and the J. C. Bateman Survey, Abstract No. 1154, Wise County, Texas and the T. Samuel Survey, Abstract No. 1148, JC Brumley Survey, Abstract No. 1520, and the A. Pulen Survey, Abstract No. 1057, Denton County, Texas and being all of those tracts of land described to Shoop Trust and Glenn P. Shoop, Trustee by deeds recorded in Volume 502, Page 904; Volume 530, Page 523; Volume 1520, Page 530; Volume 2295, Page 213, Official Public Records,

**Wise County, Texas and Document No. 2018-997; Document No. 2018-998, Official Public Records, Denton County, Texas.**

Councilman Steve Misner made a motion to approve a Development Agreement between Rockhill Capital & Investments LLC, and the City of New Fairview. Motion seconded by Walter Clements, Motion passed unanimously. 5-0

- F. **Discuss, consider and act on an Ordinance amending the zoning map of the City of New Fairview by changing the zoning designation of a parcel of land being a 1807.64 acre tract of land situated in the Smith County School Land Survey, Abstract No. 744, I. Davis Survey, Abstract No. 247, J. Beebe Survey, Abstract No. 56, T. Samuel Survey, Abstract No. 757 and the J. C. Bateman Survey, Abstract No. 1154, Wise County, Texas and the T. Samuel Survey, Abstract No. 1148, JC Brumley Survey, Abstract No. 1520, and the A. Pulen Survey, Abstract No. 1057, Denton County, Texas, and being all of those tracts of land described to Shoop Trust and Glenn P. Shoop, Trustee by deeds recorded in Volume 502, Page 904; Volume 530, Page 523; Volume 1520, Page 530; Volume 2295, Page 213, Official Public Records, Wise County, Texas and Document No. 2018-997; Document No. 2018-998, Official Public Records, Denton County, Texas from Agriculture (AG) to Planned Development (PD) for Single-Family Residential, Multi-Family Residential, Townhomes, Condominiums, Schools, Parks, Open Space, Civic Uses and Commercial Uses.**

Councilman Steve Misner made a motion to amending the zoning map of the City of New Fairview by changing the zoning designation of a parcel of land being a 1807.64 acre tract of land situated in the Smith County School Land Survey, Abstract No. 744, I. Davis Survey, Abstract No. 247, J. Beebe Survey, Abstract No. 56, T. Samuel Survey, Abstract No. 757 and the J. C. Bateman Survey, Abstract No. 1154, Wise County, Texas and the T. Samuel Survey, Abstract No. 1148, JC Brumley Survey, Abstract No. 1520, and the A. Pulen Survey, Abstract No. 1057, Denton County, Texas, and being all of those tracts of land described to Shoop Trust and Glenn P. Shoop, Motion seconded by Councilman Walter Clements. Motion passed unanimously 5-0

- G. **Discuss, consider and act on a resolution authorizing and creating the Shoop Ranch Public Improvement District No. 1 in accordance with Chapter 372 of the Texas Local Government Code.**

Councilman MISner made a motion Resolution authorizing and creating the Shoop Ranch Public Improvement District No. 1 in accordance with Chapter 372 of the Texas Local Government Code. Motion seconded by Councilman Wlater Clements. Motion passed unanimously.

- H. Discuss, consider and act on a resolution authorizing and creating the Shoop Ranch Authorized Services Public Improvement District No. 1 in accordance with Chapter 372 of the Texas Local Government Code.**

Councilman Misner made a motion to approve a resolution authorizing and creating the Shoop Ranch Authorized Services Public Improvement District No. 1 in accordance with Chapter 372 of the Texas Local Government Code. Motion seconded by Councilwoman Julie Burger. Motion passed unanimously.

- I. Discuss, consider, and act on a resolution of the City council of the City of New Fairview, Texas, authorizing the submission of a Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Community Development Fund; and authorizing the Mayor and City Administrator to act as the city's executive officers and authorized representatives in all matters pertaining to the city's participation in the Texas Community Development Block Grant Program.**

Councilman Walter Clements made a motion to approve and authorize the submission of a Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Community Development Fund and authorizing the mayor and city administrator to act as executive officers. Motion seconded by Councilman Nolan Schoonmaker. Motion passed unanimously.

- J. Discuss, consider, and act on a resolution of the City Council of the City of New Fairview, Texas, appointing a Judge Hubbs as the City of New Fairview municipal court judge and approving the contracted services agreement.**

Councilman Steve Misner made a motion to appoint Judge Hobbs as the Municipal Court Judge. Motion seconded by Councilwoman Julie Burger. Motion Passed unanimously.

- K. Discuss, consider and act on Employment Agreement with Ben Nibarger.**

Councilman Walter Clements made a motion to approve the agreement with Ben Nibarger, Motion seconded by Councilwoman Julie Burger. Motion passed. Councilman Steve Misner opposed the motion because of the 5 year term. 4-1

- L. Discuss, consider and act on an Ordinance amending the job duties and qualifications of the city administrator.**

Councilman Walter Clements made a motion to approve ordinance amending the job duties and qualifications of the city administrator. Motion seconded by Steve Misner. Motion passed unanimously. 5-0

**ITEM NUMBER II. WORK SESSION: No action will be taken during the work session; the work session provides the Council an opportunity to discuss consent items, receive and provide information regarding regular agenda items, and presentations from staff.**

**ITEM NUMBER II. The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following:**

**8:35PM to 9:45PM**

- A. The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following: Section 551.087 - Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1) for the following: Paloma Ranch**
  
- B. The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following: Section 551.087 - Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1) for the following: Shoop Ranch**
  
- C. The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following: Section 551.087 - Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1) for the following: Sunrise LLC**
  
- D. Section 551.071 Consultation with Attorney, authorizing a governmental body to consult with its attorney in an executive session to seek his or her advice on legal matters; it provides as follows: A governmental body may not conduct a private consultation with its attorney except: (1) when the governmental body seeks the**

advice of its attorney about: (A) pending or contemplated litigation; or (B) a settlement offer; or (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

- E. Section 551.074 - Personnel Matters; (a) This chapter does not require a governmental body to conduct an open meeting: (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or (2) to hear a complaint or charge against an officer or employee; (b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing: City Administrator

**ITEM NUMBER IX. CONSIDER/TAKE ACTION ON MATTERS DISCUSSED IN THE EXECUTIVE SESSION.**

**ITEM NUMBER X. ADJOURN:** Meeting adjourned at 9:55 P.M

**APPROVED:**

Mayor Joe Max Wilson

Councilwoman Julie Burger

Councilman Walter Clements

Councilman Steve Misner

Councilman Patrick Gunter

Councilman Nolan Schoonmaker

ATTEST:

City Secretary Monica Rodriguez





**State of Texas  
County of Wise  
City of New Fairview**

**The City Council convened into a council meeting. The same being open to the public, this 3rd day of May 2021 in the New Fairview City Hall and notice of said meeting giving the time, place and subject therefore having been posted as prescribed by Article 5 of the Texas Government code, with the following members present:**

**PRESENT**

**Mayor Joe Max Wilson  
Councilwoman Julie Burger  
Councilman Steve Misner  
Councilman Walter Clements  
Councilman Nolan Schoonmaker**

**City Attorney Bradley Anderle & Larry Collister  
City Administrator Ben Nibarger  
City Clerk Brooke Boller  
City Secretary Monica Rodriguez**

City Attorney Bradley introduced the new city attorney that will be taking over . Bradley will no longer be with us . Larry Collester is the new attorney. He has a lot of experience in dealing with development.25 years in his career and 7 years working with the city of Denton.

**ITEM NUMBER I. CALL MEETING TO ORDER:**

Mayor Joe Max Wilson called the meeting to order at 7:00pm

**ITEM NUMBER II. ROLL CALL:**

Roll call with the above-mentioned names present.

**ITEM NUMBER III. PLEDGE TO FLAGS**

A. United States of America

B. Texas Flag Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible

**ITEM NUMBER IV. OPEN FORUM:** The City Council invites persons with comments or observations related to city issues, projects, or policies to briefly address the City Council.



Anyone wishing to speak should sign-in with the City Secretary before the beginning of the City Council Meeting. In order to expedite the flow of business and to provide all citizens the opportunity to speak, there is a three-minute limitation on any person addressing the City Council. State law prohibits the City Council from discussing or taking action on any item not listed on the posted agenda.

**ITEM NUMBER V. CONSENT ITEMS:** All matters listed as Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

No consent items till the second meeting of the month to allow enough time to get minutes and financials done since we have meetings every other week to be consistent.

**ITEM NUMBER VI. NEW BUSINESS:** All matters listed as New Business will be discussed and considered separately.

A. Discuss, consider, and act to fill the Place 2 City Council seat vacated by the Mayor Pro-tem.  
**Councilman Misner made a motion to appoint Mickey Malone to fill Place 2 seat. Motion seconded by Councilwoman Burger. Motion passed unanimously.**

B. Discuss, consider, and act to appoint a member of the Council to act as the Mayor Pro Tem.  
**Councilman Misner made a motion to appoint Mickey Malone to act as Mayor Pro Tem. Motion seconded by Councilwoman Burger. Motion passed unanimously.**

C. Discuss, consider, and act on a resolution of the City of New Fairview, Texas, authorizing the City Administrator to enter into an agreement to develop a new City website.  
**Councilwoman Burger made a motion to authorize the city administrator to enter into an agreement to develop a new website. Motion seconded by Councilman Schoonmaker. Motion passed unanimously.**

D. Discuss, consider, and act on a resolution of the City of New Fairview, Texas, approving an amendment to the City's franchise agreement with Frontier Waste.  
**Councilman Misner made a motion to accept the franchise agreement with the amendment to add two more clean up days to the agreement. Motion seconded by Councilwoman Burger. Motion passed unanimously.**

E. Discuss, consider, and act on a resolution of the City of New Fairview, Texas, authorizing the City Administrator to enter into an agreement for the repair of South County Line Road.  
**Councilman Misner made a motion to authorize the city administrator to enter into an agreement for the repair of south county line road. Motion seconded by Councilman Schoonmaker. Motion passed unanimously.**

**VII. WORK SESSION:** No action will be taken during the work session; the work session provides the Council an opportunity to discuss consent items, receive and provide information regarding regular agenda items, and presentations from staff.

City Administrator wants to get input on what council wants to do in regards to updating our comp plan and also having a master plan. The planning and zoning will be updating the zoning and land use plan.

**A. Discuss with staff the City's Comprehensive Plan.**

**B. Discuss with staff the City's website.**

**C. Discuss with staff the City Council's participation in the Texas Rural Leadership Program.**

**D. Discuss with staff the Strategic Partnership Agreement with Fairview Meadow.**

**E. Discuss with staff a New Fairview Farmer's Market.**

**F. Discuss with staff streets improvements.**

**G. Discuss, consider, and act to fill the Place 2 City Council seat vacated by the Mayor Pro-tem.**

**H. Discuss, consider, and act to fill the Place 2 City Council seat vacated by the Mayor Pro-tem.**

**VIII. EXECUTIVE SESSION:** The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following:

A. Section 551.071 Consultation with Attorney, authorizing a governmental body to consult with its attorney in an executive session to seek his or her advice on legal matters; it provides as follows: A governmental body may not conduct a private consultation with its attorney except: (1) when the governmental body seeks the advice of its attorney about: (A) pending or contemplated litigation; or (B) a settlement offer; or (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

- no executive session - City Attorney said that the executive session was not identified clearly so there was no discussion

**ÍTEM NUMBER IX. REPORT ITEMS:** These items are for informational purposes only. If the Council wishes to discuss, they can ask to add them to the workshop or new business section for discussion.

- A. Infrastructure update from Don Strange.
- B. Draft copy of newsletter that will be printed and mailed.

**ITEM NUMBER X. CONSIDER/TAKE ACTION ON MATTERS DISCUSSED IN THE EXECUTIVE SESSION.**

**ITEM NUMBER XI. ADJOURN:**10:00p.m.

**APPROVED:**

Mayor Joe Max Wilson

Councilman Nolan Schoonmaker

Councilwoman Julie Burger

Councilman Walter Clements

Councilman Steve Misner

Attest :

City Secretary Monica Rodríguez

**Special City Council Meeting  
May 14, 2021  
5:00pm**

**STATE OF TEXAS  
COUNTY OF WISE  
CITY OF NEW FAIRVIEW**

**THE CITY COUNCIL CONVENED INTO A SPECIAL CITY COUNCIL MEETING THE SAME BEING OPEN TO THE PUBLIC THE 14th DAY OF May 2021 IN THE NEW FAIRVIEW CITY HALL AND NOTICE OF SAID MEETING GIVING THE TIME PLACE AND SUBJECT THEREFORE HAVING BEEN POSTED AS PRESCRIBED BY ARTICLE 5 OF THE TEXAS GOVERNMENTAL CODE WITH THE FOLLOWING MEMBERS PRESENT:**

**PRESENT  
COUNCILMAN NOLAN SCHOONMAKER  
COUNCILWOMAN JULIE BURGER  
COUNCILMAN MICKEY MALONE**

**CITY ADMINISTRATOR BEN NIBARGER  
CITY SECRETARY MONICA RODRIGUEZ**

**ITEM NUMBER 1. CALL MEETING TO ORDER:**

**Councilman Schoonmaker called the meeting to order at 5:04pm**

**ITEM NUMBER 2. ROLL CALL:**

**Roll call with names listed above**

**ITEM NUMBER 3. CANVASSING AND SWEARING IN**

**A. Consider and Act on a resolution approving the results and canvass the votes for the May 1, 2021 Election**

**Election votes were canvassed. Councilwoman Burger made a motion to approve the Results for the May 1 2021 Election. Motion seconded by Councilman Malone. Motion passed.**

**B. Issue Certificates of Election, Statements of Office & Oath of office to the new elected officials  
The new elected officials were sworn in.**

**ITEM NUMBER 4. ADJOURN: Councilman Schoonmaker adjourns meeting at 5:25pm.**

**Approved:**

**Councilman Nolan Schoonmaker**

**Councilwoman Julie Burger**

**Councilman Mickey Malone**

**Attest:**

**City Secretary Monica Rodríguez**

**City council Meeting  
May 17, 2021  
7:00 pm**

**STATE OF TEXAS  
COUNTY OF WISE  
CITY OF NEW FAIRVIEW**

**THE CITY COUNCIL CONVENED INTO A CITY COUNCIL MEETING THE SAME BEING OPEN TO THE PUBLIC THE 17th DAY OF MAY 2021 IN THE NEW FAIRVIEW CITY HALL AND NOTICE OF SAID MEETING GIVING THE TIME PLACE AND SUBJECT THEREFORE HAVING BEEN POSTED AS PRESCRIBED BY ARTICLE 5 OF THE TEXAS GOVERNMENTAL CODE WITH THE FOLLOWING MEMBERS PRESENT:**

**CITY COUNCIL**

**Mayor Nolan Schoonmaker  
Councilwoman Julie Burger  
Councilwoman Cindy Poe  
Councilman Steve Misner  
Councilman John Taylor  
Councilman Mickey Malone**

**PRESENT**

**City Administrator Benjamin Nibarger  
City Secretary Monica Rodriguez  
City Clerk Brooke Boller**

**ITEM NUMBER I. CALL MEETING TO ORDER:**

Mayor Schoonmaker called the meeting to order at 7pm

**ITEM NUMBER II. ROLL CALL:**

Roll call with all names listed above

**ITEM NUMBER III. PLEDGE TO FLAGS.**

A. United States of America

B. Texas Flag Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible

**ITEM NUMBER IV. OPEN FORUM:** The City Council invites persons with comments or observations related to city issues, projects, or policies to briefly address the City Council. Anyone wishing to speak should sign-in with the City Secretary before the beginning of the City Council Meeting. In order to expedite the flow of business and to provide all citizens the

opportunity to speak, there is a three-minute limitation on any person addressing the City Council. State law prohibits the City Council from discussing or taking action on any item not listed on the posted agenda.

**ITEM NUMBER V. CONSENT ITEMS:** All matters listed as Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

A. Acceptance of the April 2021 Financial Reports.

B. Acceptance of the April 5 and April 19, 2021 City Council Meeting minutes.

C. Amend the Procedures and Decorum Policy as the governing policies for the Planning and Zoning Commission.

**Councilman Misner made a motion to approve consent items. Motion seconded by Councilman Taylor. Motion passed unanimously. 5-0.**

**ITEM NUMBER VI. NEW BUSINESS:** All matters listed as New Business will be discussed and considered separately.

A. Discuss, consider, and act on a resolution of the City of New Fairview, Texas, to appoint an applicant to the Planning and Zoning Commission.

**Councilman Misner made a motion to appoint Arne Wassman to the Planning and Zoning Commission. Motion seconded by councilwoman Burger. Motion passed unanimously. 5-0**

B. Discuss, consider, and select the Mayor Pro Tem by majority vote of the City Council from among its own membership; providing that the mayor pro tem's term is one year; providing that the mayor pro tem retains the right to vote on all matters before the Council while performing the duties of the mayor (Local Government Code Sections 22.037 and 23.027).

**Councilman Taylor made a motion to appoint Mickey Malone As Mayor Pro Tem. Motion seconded by Councilwoman Poe. Motion passed unanimously. 5-0**

**ITEM NUMBER VII. WORK SESSION:** No action will be taken during the work session; the work session provides the Council an opportunity to discuss consent items, receive and provide information regarding regular agenda items, and presentations from staff.

A. Discuss with staff the Fiscal Year 2021/2022 annual operating and capital improvement budget.

B. Discuss with staff the potential release of Fort Worth ETJ.

**ITEM NUMBER VIII. EXECUTIVE SESSION:** The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following:

**ITEM NUMBER IX. REPORT ITEMS:** These items are for informational purposes only. If the Council wishes to discuss, they can ask to add them to the workshop or new business section for discussion.

**ITEM NUMBER X. CONSIDER/TAKE ACTION ON MATTERS DISCUSSED IN THE EXECUTIVE SESSION.**

ITEM NUMBER XI. ADJOURN: **Mayor Schoonmaker Meeting adjourned at 9:52pm**

**APPROVED**

Mayor Nolan Schoonmaker

Councilwoman Julie Burger

Councilwoman Cindy Poe

Councilman Steve Misner

Councilman Mickey Malone

Councilman John Taylor

**ATTEST**

City Secretary Monica Rodriguez

:





## **City Council Agenda June 21, 2021**

**Agenda Item:**

**(Discussion Item)**

### **Agenda Description:**

Discuss with staff the Fiscal Year 2021/2022 annual operating and capital improvement budget.

### **Background Information:**

Over the last several council meetings, the City Council and staff started the budget discussion at a fairly high-level, not focusing on dollars but the issues that the City is facing and started to discuss the prioritization of the issues. In the June 7, 2021 meeting staff presented estimates on the costs to fund the streets throughout the community, not including many of the private roads that were previously thought to be city owned and maintained. Staff presented the engineer's estimate on the right-sizing cost for the water and wastewater systems that would need to be developed in partnership with the Constellation Lake and Shoop Ranch developments. Further, staff discussed what the budget would potentially reflect if they decide to move forward with a budget that keeps service levels the same.

### **Financial Information:**

N/A

### **City Contact and Recommendation:**

Ben Nibarger, City Administrator

### **Attachments:**

N/A



In consultation with our city engineers, Pacheco Koch, and Wise County, staff has developed an alternative path forward that may provide the funding necessary to complete the initial project. This will require many things to work in our favor, including obtaining the \$350,000 Community Development Block (CDBG) Grant; and appropriate funding of approximately \$300,000 of the General Fund Balance; and enter into an interlocal agreement with Wise County for Wilson and Aydelotte Court as well as adding funding for CR 4717; and we do not experience significant unknowns consuming all contingency fees.

**Financial Information:**

Appropriation of \$300,000 of the General Fund Balance

Agreement to fund improvements for CR 4717, not to exceed \$100,000

**City Contact and Recommendation:**

Ben Nibarger, City Administrator

Award contract to Jaego-Public; appropriate \$300,000 of the General Fund Balance for the project; and increase contingency for the project to \$632,000.

**Attachments:**

Resolution



**City of New Fairview, Texas  
Resolution No. 202106-03-175**

**A RESOLUTION OF THE CITY OF NEW FAIRVIEW, TX AWARDING THE STREETS IMPROVEMENT PROJECT TO JAEGO-PUBLIC CO. AND AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT FOR ALTERNATIVES A, C, D, E, F, G, H, AND ESTABLISHING A NOT TO EXCEED CONTINGENCY FOR THE PROJECT OF \$632,000.**

**WHEREAS,** the City of Fairview is an incorporated city in the State of Texas; and

**WHEREAS,** the City of New Fairview is a General Law city as classified by the Texas Municipal Code; and

**WHEREAS,** the City of New Fairview engaged Pacheco Koch to bid out the streets improvement project; and

**WHEREAS,** the City of New Fairview received bids from several contractors that are both qualified and able to complete the project; and

**WHEREAS,** the staff and engineers have reviewed their references and work in other cities; and

**WHEREAS,** the City Council finds this to be in the best interest of the citizens of New Fairview.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY  
NEW FAIRVIEW:**

1. That, all matters stated in the recitals herein above are found to be true and correct and are incorporated herein by reference as if copied in their entirety.
2. That the City Council does hereby award the streets improvement project as bid in alternatives A, C, D, E, F, G, H to Jaego-Public Co and authorizes the City Administrator

to enter into an agreement for the completion of work.

3. That the City Council authorizes the City Administrator to enter into an interlocal agreement with Wise County for the improvement of CR 4717 with a not-to-exceed cost of \$100,000.
4. That the City Council establishes a not-to-exceed project contingency of \$632,000.
5. That the City Council approves the transfer of \$300,000 of the General Fund Balance to the Capital Improvements Fund for the streets improvement project.
6. That, if any portion of this resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determined that it would have adopted this Resolution without the invalid provision.
7. That this Resolution shall become effective from and after its date of passage.

PRESENTED AND PASSED on this **21<sup>st</sup> day of June, 2021**, at a meeting of the New Fairview City Council.

APPROVED:

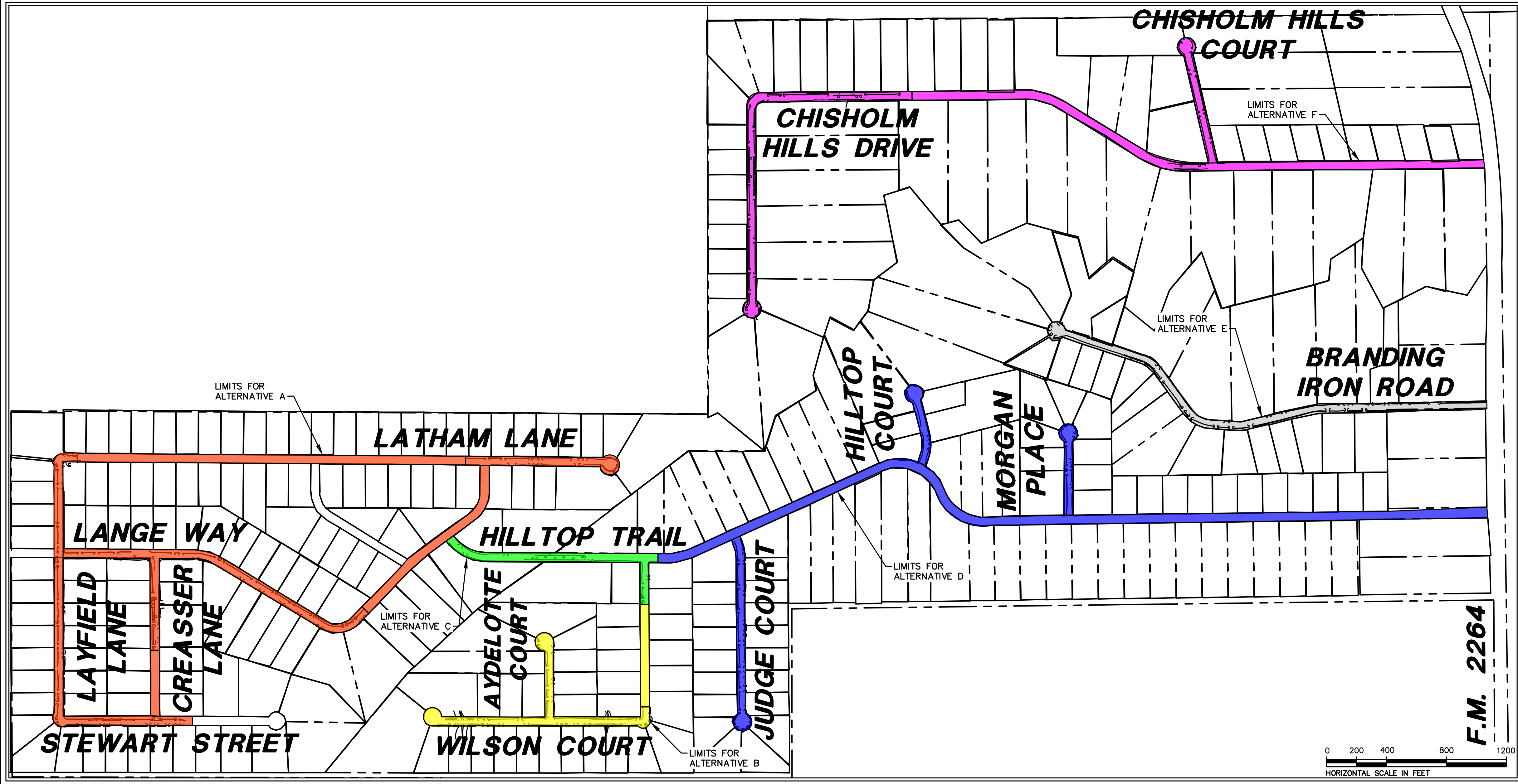
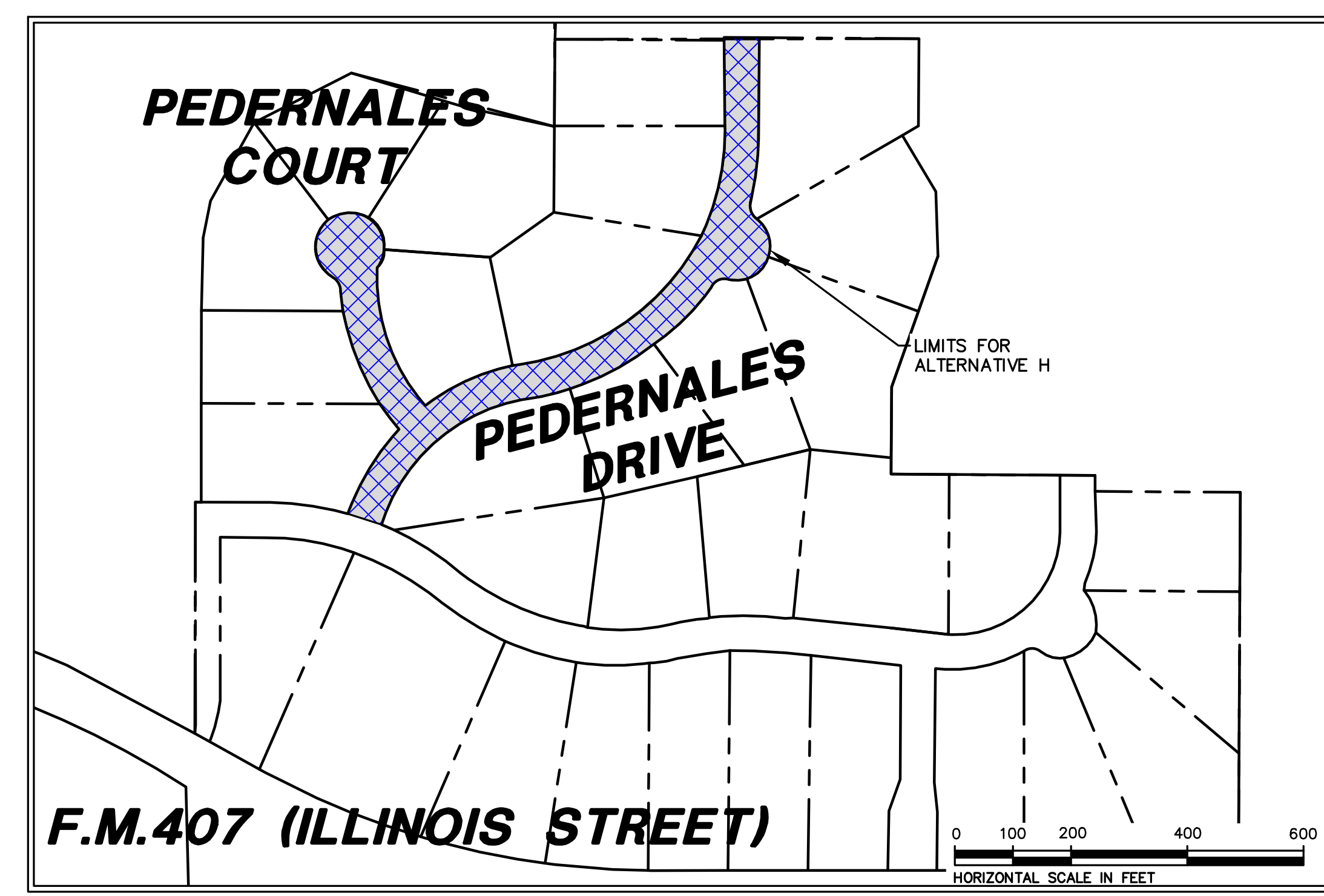
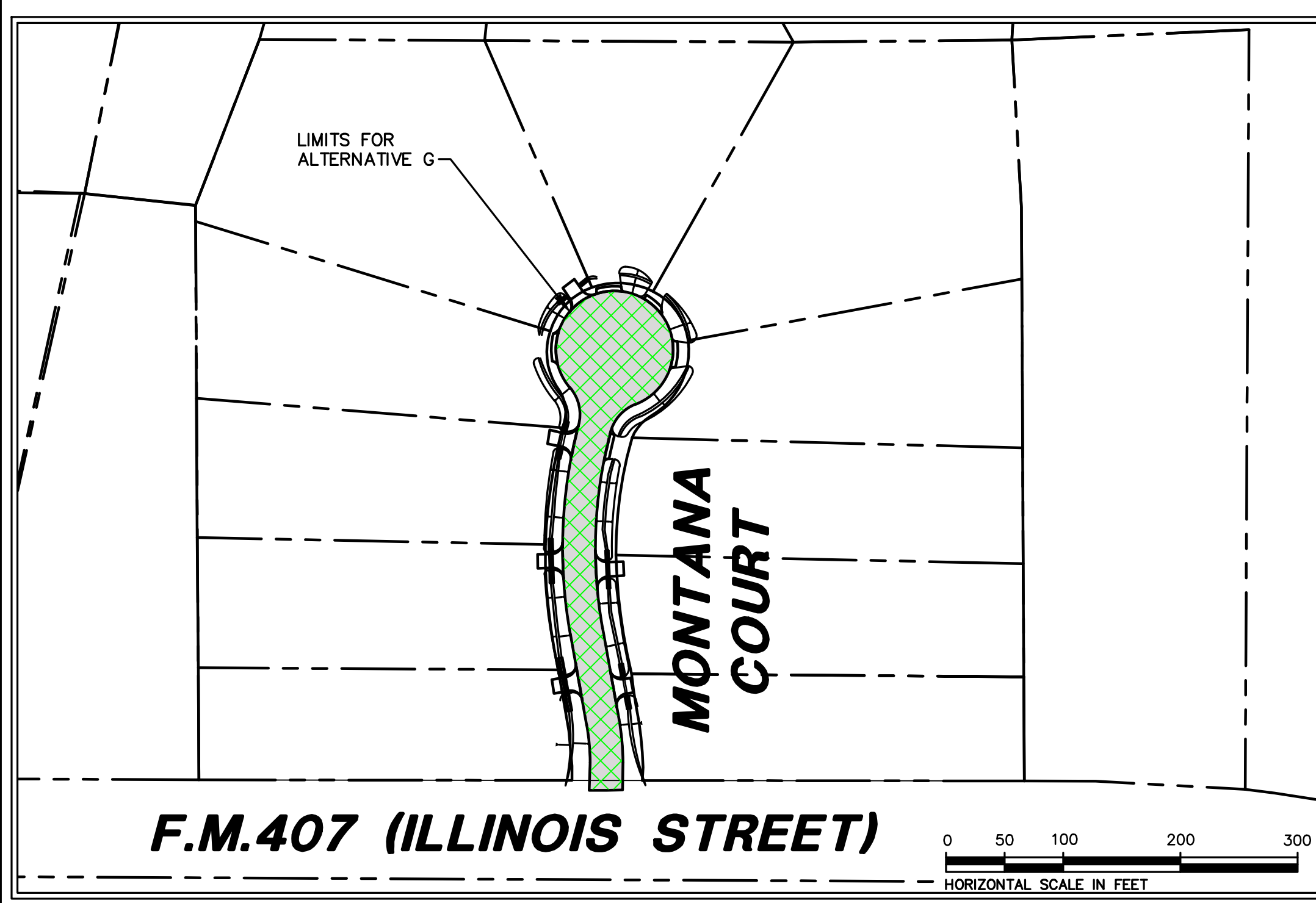
ATTESTED:

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Nolan Schoonmaker  
Mayor

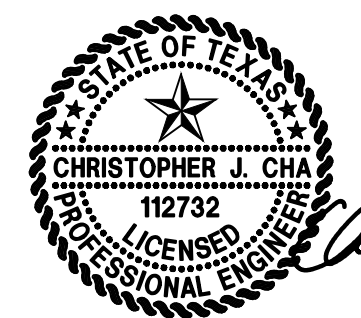
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Monica Rodriguez  
City Secretary



LEGEND

- ALTERNATIVE A
- ALTERNATIVE B
- ALTERNATIVE C
- ALTERNATIVE D
- ALTERNATIVE E
- ALTERNATIVE F
- ALTERNATIVE G
- ALTERNATIVE H



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY CHRISTOPHER J. CHA, P.E. 112732 ON 05/18/21 - ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

NO.	DATE	REVISION

**Pacheco Koch** 4060 BRYANT IRVIN ROAD  
FORT WORTH, TX 76109 817.412.7155  
TX REG. ENGINEERING FIRM F-469  
TX REG. SURVEYING FIRM LS-10008001

ALTERNATIVE LIMITS

CHISHOLM HILLS, MONTANA COURT, AND PEDERNALES DRIVE ROADWAY IMPROVEMENTS  
CITY OF NEW FAIRVIEW, WISE COUNTY, TEXAS

DESIGN	DRAWN	DATE	JOB NO.	SHEET NO.
RCP/DRB	EN/RDF	MAY 2021	3204-20.634	3C

REARQUELX  
 05/19/2021 - 8:38AM  
 M:\DWG-32\3204-20.634\DWG\CIVIL C-3D 2018\3204-20.634 ALTERNATIVE.DWG

CHISHOLM HILLS, MONTANA COURT, AND PEDERNALES DRIVE ROADWAY IMPROVEMENTS



## **City Council Agenda June 21, 2021**

**Agenda Item:**

**(Discussion Item)**

### **Agenda Description:**

Discuss with staff the code enforcement ordinance.

### **Background Information:**

Following discussion at the last council meeting, staff has reached out to our new judge and prosecutor to determine what options are available. Staff has a presentation prepared to share with the Council to seek input and their desire to implement more stringent enforcement activities.

### **Financial Information:**

N/A

### **City Contact and Recommendation:**

Ben Nibarger, City Administrator

### **Attachments:**

N/A



## **City Council Agenda June 21, 2021**

**Agenda Item:**

**(Discussion Item)**

### **Agenda Description:**

Discuss with staff the implementation of town hall meetings and community events.

### **Background Information:**

The Council and staff have been discussing how best to engage with and better communicate with our residents. An item that has recently been discussed is town hall meetings and other community events that provide an opportunity for residents to speak with one another, their Council members, and the city staff. Staff is seeking additional input from the Council on the subjects of the town halls as well as potential community events for budget purposes.

### **Financial Information:**

N/A

### **City Contact and Recommendation:**

Ben Nibarger, City Administrator

### **Attachments:**

N/A